

REMARKS

The Office Action mailed October 1, 2008 (hereinafter, "Office Action"), has been reviewed and the Examiner's comments considered. At the outset, Applicants appreciate the Examiner's withdrawal of the previous claim rejections in view of the arguments and amendments submitted February 20, 2008. Applicants respectfully request entry of the amendments to the claims herein to place the case in condition for allowance and submit that no new matter has been introduced.

Allowable Subject Matter

Claims 21-25 are indicated as allowed. Claims 14-16 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Amendments

Claims 14 and 20 are amended herein to include all of the limitations of the base claim, independent claim 1. Claims 2, 4-8, 10-13 and 17 are amended herein to update the dependency from claim 1 to claim 14. Claim 1 is canceled without prejudice herein in the interest of compact prosecution. Applicants reserve the right to pursue this claim in a continuing application. Previously withdrawn claims 26-45 are canceled herein without prejudice in order to place the case in condition for allowance. Applicants reserve the right to pursue these canceled claims in a divisional application. Applicants submit that withdrawn claim 4, following entry of this amendment, is dependent on allowable independent claim 14, and therefore request rejoinder thereof. Claim 9 stands objected to because of an alleged contradiction of terms. Claim 9 is canceled herein, thereby rendering this objection moot.

Claim Rejections - 35 U.S.C. § 102 and § 103

Claims 1-3, 8, 10-13, and 17-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by USPN 4,123,091 to Cosentino et al. (hereinafter, "Cosentino"). Claims 5 and 7 stand rejected under 35 USC § 103(a) as being unpatentable over Cosentino. Claim 6 stands rejected

under 35 USC § 103(a) as being unpatentable over Cosentino in view of USPN 6,155,610 to Godeau et al. Without conceding the propriety of these rejections, in the interest of compact prosecution, claim 1 is canceled by this amendment. Further, claims 2-3, 8, 10-13 and 17-19, following entry of this amendment, depend from allowable independent claim 14. Accordingly, the outstanding rejections are rendered moot.

Conclusion

Each of the presently pending claims in this application, following entry of this amendment, is in immediate condition for allowance, as all outstanding issues are believed to have been addressed. The Examiner is therefore respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 502191 referencing docket no. 1016720023P. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 24, 2008

Respectfully submitted,

Electronic signature: /Todd W. Wight/
Todd W. Wight
Registration No.: 45,218
RUTAN & TUCKER LLP
611 Anton Boulevard
Suite 1400
Costa Mesa, California 92626
patents@rutan.com
714 641-5100